

CARMEL CITY CODE
CHAPTER 10: ZONING & SUBDIVISIONS
ARTICLE 1: ZONING CODE

CARMEL ZONING ORDINANCE
CHAPTER 26: ADDITIONAL HEIGHT, YARD, LOT AREA AND BUFFERING REGULATIONS

- 26.00 Additional Height, Yard, Lot Area and Buffering Regulations.
- 26.01 Additional Height Requirements.
- 26.02 Additional Yard Requirements.
- 26.03 Additional Lot Area and Width Requirements.
- 26.04 Perimeter Buffering Requirements.

26.00 Additional Height, Yard, Lot Area and Buffering Regulations.¹

26.01 Additional Height Requirements.²

26.01.01 In the S-1, S-2, R-1, R-2, and R-3 Residential Districts limiting height to thirty-five (35) feet, the required Side and Rear Yards are increased an additional foot for each foot such Structure exceeds twenty-five (25) feet in height.

26.01.02 *unassigned*

26.01.03 *unassigned*

26.01.04 Upon approval by the appropriate authority, chimney stacks, church spires, monuments, flagpoles, water towers, stage towers or scenery lofts may be erected to minimum height appropriate unless prohibited by other laws. In the Business, Industrial, and Manufacturing Districts, Special Use approval of a tower (or antenna mounted on another structure) may include an increase in height to not more than one hundred fifty (150) feet. In the Residential Districts, Special Exception approval of a tower (or Special Use approval of an antenna mounted on another structure) may include an increase in height to not more than one hundred twenty (120) feet.

Essential mechanical or utilitarian roof top appurtenances shall be screened, and upon the approval by the appropriate authority, such items and their screening may be erected to a minimum height appropriate unless prohibited by other laws or ordinances. Such appurtenances shall be defined as, but not limited to cooling towers, elevator bulkheads, conveyors, heating ventilation air conditioning equipment (HVAC), and rooftop stairway access structures.

26.02 Additional Yard Requirements.³

26.02.01 On lots fronting on two non-intersecting streets, a front yard must be provided on both streets (double frontage).

26.02.02 Corner Lots.

A. There must be a Front Yard provided on both Streets.

¹ Title amended per Ordinance No. Z-470-05, §o.

² Section 26.01 amended per Ordinance No. Z-254; Z-256; Z-269; Z-320; Z-453-04, §fd.

³ Section 26.02 amended per Ordinance No. Z-318; Z-320; Z-327; Z-369-02, §bc-bh; Z-382-02, §g; Z-453-04, §fe.

-
- B. On Corner Lots that are Lots of Record, the buildable Lot Width cannot be reduced to less than twenty-eight (28) feet, except that there shall be a Side Yard of at least five (5) feet along each Side Lot Line.
- C. The minimum buildable Lot Width of twenty-eight (28) feet for Principal Buildings is reduced to twenty-two (22) feet for Accessory Buildings.
- 26.02.03 Where a frontage is divided among districts with different front yard requirements, the deepest front yard required shall apply to the entire frontage.
- 26.02.04 In the B, I and M Districts there may be more than one building on a lot provided that the required yards be maintained around the group of buildings.
- 26.02.05 There may be two or more related multi-family, hotel, motel or institutional buildings on a lot provided that (1) the required yards be maintained around the group of buildings, and (2) buildings that are parallel or that are within forty-five degrees (45°) of being parallel be separated by a horizontal distance that is at least equal to the height of the highest building.
- 26.02.06 Those parts of existing buildings that violate yard regulations may be repaired and remodeled, but any addition must provide the required yards.
- 26.02.07 Required Front Yards in residential districts shall be devoted entirely to landscaped area except for Frontage Places, guest parking and the necessary paving of driveways and sidewalks to reach parking or loading areas in the Side or Rear Yard. The Minimum Front Yard of any Lot in a Subdivision utilizing relaxed Front Yard standards per *Section 7.00.01* of the Subdivision Control Ordinance shall be as follows:
- A. Dwelling with attached, front-loading garage: Twenty (20) feet.
Garage must be set back a minimum of twenty-five (25) feet.
- B. Dwelling with attached, side-loading garage: Fifteen (15) feet.
Garage must be set back a minimum of twenty-five (25) feet.
- C. Dwelling with attached, rear-loading; or detached, alley-access garage: Ten (10) feet.
- 26.02.08 The minimum width of side yards for schools, libraries, churches, community buildings, and other public and semi-public buildings in residential districts shall be twenty-five (25) feet, except where a side yard is adjacent to a Business, Industrial or Manufacturing District, in which case the width of that yard shall be as required in the district in which the building is located.
- 26.02.09 Open, unenclosed porches (not under roof) or patios may extend ten (10) feet into a front yard.
- 26.02.10 Terraces which do not extend above the level of ground (first) floor may project into a required yard, provided these projections be a distance of at least two (2) feet from the adjacent side lot line.
- 26.02.11 No side yards are required where dwellings are erected above commercial and industrial structures, except such side yard is required for a commercial or industrial building on the side of a lot adjoining a residential district.
- 26.02.12 (Note: See **Section 25.01**)
- 26.02.13 (Note: See **Section 26.02.02**)
- 26.02.14 Sills, belt courses, window air-conditioning units, cornices, and ornamental features may project into a required yard a distance not to exceed twenty-four (24) inches.
- 26.02.15 (Note: See **Section 25.19**)
- 26.02.16 Normal roof overhang, open fire escapes, fireproof outside stairways and balconies opening upon fire towers, and the ordinary projections of chimneys and flues shall be permitted to project into required yards for a distance of not more than forty-eight (48) inches when so placed as to not obstruct light and ventilation.
-

26.02.17 (Note: See **Section 25.01.02**)

26.02.18 *unassigned*

26.02.19 In Residential Districts:

- A. One-half of an alley abutting the rear of the lot may be included in the required rear yard.
- B. The measurement for the required front yard of any lot accessed via a frontage place may include the frontage place.
- C. Where twenty-five percent (25%) or more of the lots of record in the block are occupied by buildings, the average setback of such buildings determine the dimension of the front yard in the block.
- D. Building lines or building setback lines established in a recorded subdivision shall establish the dimension of front yards in such subdivisions except such building setback lines shall not be less restricting than this Ordinance.

26.02.20 In Business, Industrial and Manufacturing Districts:

- A. One-half of an alley abutting the rear of a lot may be included in the rear yard but such alley space shall not be included for loading and unloading berths.
- B. Where twenty-five percent (25%) or more of the lots of record in a block are occupied by buildings, the average setback of such buildings shall determine the dimension of the front yard in the block.
- C. Parking is permitted in the required front yard in the Business and Industrial Districts.

26.03 Additional Lot Area and Width Requirements.

26.03.01 Where a lot of record has less area than herein required in the district in which it is located, and was of record on December 21, 1957, and the owner of such lot does not own any other parcel or tract adjacent thereto, said lot may nevertheless be used for a dwelling or for any non-dwelling use permitted in the district in which it is located.

26.03.02 In no circumstances, other than on a lot of record, shall the minimum lot width and lot size be less than that provided by this Ordinance; however, the State Board of Health or the Hamilton County Board of Health may prescribe an increase in those minimums in accordance with their regulations.

26.03.03 Double frontage lots should not be platted except along arterial streets where lots may face on an interior street and back up to such thoroughfares. In that event, a planting strip easement, at least twenty (20) feet in width, shall be provided along the back of the lot.

26.04 Perimeter Buffering Requirements.⁴

26.04.01 The requirements of this Section shall apply to all Special Uses, Subdivision Plats, properties containing multi-family uses, and properties within all Business, Manufacturing, and Industrial districts, unless other buffer or perimeter planting standards are specified within an individual district or zone.

26.04.02 Where required, perimeter buffering shall be located along the front, side and rear lot lines of a lot/parcel and shall extend the entire length of the front, side and rear lot lines.

26.04.03 Where residential or other buildings back onto a public thoroughfare, buffer plantings shall occur outside of the public right-of-way, per the Tables below.

⁴ Section 26.04 adopted per Ordinance No. Z-365-01; as amended per Ordinance No. Z-470-05, §p.

26.04.04 Perimeter buffering shall not be located within any portion of a dedicated public street right-of-way, private street right-of-way, or County regulated drain easement.

26.04.05 Existing vegetation may be used to achieve project buffering if:

- (a) the vegetation located upon the subject parcel is of a quality and state of health to achieve buffering, and,
- (b) the vegetation is proposed to be preserved using accepted best management practices for tree protection during construction.

26.04.06 To determine the applicable bufferyard requirements:

- (a) Use the *Table for Bufferyard Determination* to identify the land use category of the proposed project use.
- (b) Use the *Table for Bufferyard Determination* to identify the land use(s) of the adjoining properties, or identify the street classification adjoining the proposed use by referring to the Official Thoroughfare Plan of Carmel-Clay Township.
- (c) Determine the bufferyard(s) required on each boundary (or segment thereof) of the subject parcel by referring to the *Table for Bufferyard Determination*.

TABLE FOR BUFFERYARD DETERMINATION⁵

	SINGLE FAMILY	DUPLEX	MULTI-FAMILY	ACTIVE RECREATION	INSTITUTIONAL	OFFICE; RETAIL	WAREHOUSE; LT. INDUSTRY	HEAVY INDUSTRY	COLLECTOR STREET	PARKWAY (Prim. or Sec.)	ARTERIAL (Prim. or Sec.)	EXPRESSWAY OR INTERSTATE HIGHWAY
SINGLE FAMILY DEVELOPMENT	B	C	C	D	D	D	D	D	C	D	D	D
DUPLEX DEVELOPMENT	C	A	C	B	B	C	C	D	B	D	D	D
MULTI-FAMILY DEVELOPMENT	C	C	B	B	B	C	C	D	C	D	D	D
ACTIVE RECREATION	D	B	B	A	C	C	C	C	B	D	D	D
INSTITUTIONAL	D	B	B	C	A	A	C	C	B	D	D	D
OFFICE; RETAIL	D	C	C	C	A	A	C	D	B	D	D	D
WAREHOUSE; LT. INDUSTRY	D	C	C	C	C	C	A	B	B	D	D	D
HVY. INDUSTRY	D	D	D	C	C	D	B	B	B	D	D	D

Bufferyard Design Standards in the table below are stated in terms of minimum width and number of plants required per one hundred linear foot increment.

BUFFERYARD	MINIMUM YARD WIDTH		SHADE TREES	ORNAMENTAL TREES	SHRUBS*
	FRONT & SIDE	REAR			
A	5'	10'	3	2	9
B	5'	10'	3	3	15
C	10'	20'	3	4	21
D	15'	25'	5	5	27

*Evergreen trees may substitute in lieu of shrubbery, on a 1:3 basis (1 conifer equals three shrubs)

⁵ Table for Bufferyard Determination amended per Ordinance No. Z-470-05, §q; Z-478-05, §d.

**CHAPTER 26: ADDITIONAL HEIGHT, YARD, LOT AREA AND BUFFERING REGULATIONS
AMENDMENT LOG**

Ordinance No.	Docket No.	Council Approval	Effective Date	Sections Affected
Z-318			July 7, 1997	
Z-320			July 7, 1997	
Z-327			March 25, 1999?	
Z-365-01	76-01a OA	November 5, 2001	November 27, 2001	26.04
Z-369-02	160-01 OA	April 1, 2002	April 1, 2002	26.02.02; 26.02.12; 26.02.13; 26.02.15; 26.02.17; 26.02.18 Spring 2002 v2
Z-382-02	38-02 OA	July 15, 2002	July 15, 2002	26.02.07 Summer 2002 v1
Z-453-04	150-02 OA	August 16, 2004	August 16, 2004	26.01; 26.02.07 Summer 2004 v1
Z-470-05	04100026 OA	February 21, 2005	February 21, 2005	26.04.01; 26.04.02; Bufferyard Table Winter 2005 v2
Z-478-05	05050010 OA	July 18, 2005	July 18, 2005	Bufferyard Table Summer 2005 v1